CONVENCION
1-1
Ag. 24, 1934 p.m.

APERTURA DE LA SESION

Se abre la sesión las 4:45 p. m., bajo la presidencia del Presidente, Hon. Claro M. Recto.

EL PRESIDENTE. Léase la lista de los Delegados.

EL SECRETARIO lee la lista de los Delegados, dando el siguiente resultado: (Véase Acta No. 21)

EL PRESIDENTE. Hay quorum.

APROBACION DEL ACTA

EL SECRETARIO lee la Acta del jueves, 23 de Agosto de 1934, que es aprobada sin enmienda.

PROYECTOS DE PRECEPTO CONSTITUCIONAL

EL SECRETARIO, leyendo: (Véase Acta No. 21).

INFORME SOMETIDO POR EL COMITE SOBRE DECLARACION DE PRINCIPIOS.

EL SECRETARIO leyendo:

MR. OSOAS. Mr. President.

THE PRESIDENT. The gentleman from La union has the floor.

SPEECH OF MR. OSIAS ON FUNDAMENTSL OF CONSTITUTIONA MAKING.

MR. OSIAS. Mr. President and gentleman of the Convention, The Filipino people after years of struggling for their manumission secured a law which enables them to adopt a constitution and to become free and independent. The government and people of America, through Congressional enactment, with a liberality unparalleled in the annals of colonization, has given the Filipinos the opportunity to attain independence. It is the challenging task of the people of the Philippine Islands to achieve their independence and make it real, enduring and effective.

As a great forward step toward national liberation this Constitutional Convention has been convoked to draft and formulate a constitution. It is a grave and serious duty to frame so priceless a document as a constitution for it is to be the supreme law of the land. It is to be the fountain source of subsequent legislation approved by the law making body which it creates. It is to be at once the authority and the limitation of powers to be exercised by the executive. It is to be the yardstick by which the courts will determine whether or not legislative enactment are valid. Laws violative of the provisions of the Constitution or repugnant to its letter and spirit shall be null and void.

A constitution is more than a political document. It is the basic foundation of progress. It is the instrument by which the nation orients its course. It is a means for the realization of the purposes and objectives for which democratic institutions exist.

The Philippine Constitution must embody those basic ideals and principles which custom can not stale nor time wither. It must be a crystallization of elemental concepts popularized by tradition and sanctioned by reason. It must be a recapitulation of individual and human rights held sacred and to be forever kept inviolate. It must get its life blood from the life of the throbbing throng and draw its breath of life from enlightened public opinion. It must express the will, the wisdom, the philosophy of our race. May it indeed portray the very soul of our people!

It is, I am sure, the common expectation that this Convention may devise a constitution which shall bring into being a government under which it will be a joy to work, a virtue to think, and a delight to serve; that is shall be an instrument with sufficient flexibility to be useful and usable in a changing and advancing civili-

zation; that it shall make possible the establishment of institutions for which the inhabitants of these benighted isles are willing to live or die; and that it shall be a charter loved by the citizens and respected by the foreigner.

This important and delicate task is entrusted to the delegates of this Convention. They, the chosen of and by the people, are the makers of the constitution. Battle scarred, as it were, they are victors in the most national general election ever held in thise Islands. Coming from districts relatively small they have the trust and the confidence of the people who best known the delegates, their careers, and their services. The members are a veritable cross section of the people; they form this deliberative body. This Constitutional Convention not being an adjunct of or an auxiliary to any other body or entity is supreme in its own field of action.

There are certain fundamental principles which must be borne in mind in the making of the Constitution. From them we may not with safety widely depart.

One of these established principles is that the people are the source of state power in a democracy. The government instituted must be based upon the consent of the governed.

Another principle is that the Constitution must be republican in form and democratic in character. The essence of republicanism is representative government. We must establish a government of and for the people by the representatives chosen by the people. That the constitution must be republican is the written mandate of American and the unwritten mandate of the Filipinos.

The principle of checks and balances must not be overlooked. This is effected largely through the existence of two well organized political parties and through the

establishment of three separate and distinct yet coordinate and cooperative governmental branches.

Still another recognized principle is the guaranty of individual rights and liberties through constitutional concessions and limitations.

One more principle at least should be mentioned namely, the supremacy of the laws. The constitution must provide for a government of laws and not of men. Life, liberty or property may not be taken away "without due process of law." In a constitutional government there is no divine right of rulers; there is no divine right of the minority; there is no divine right of the majority. Only the last has sanctity or, if you please, a divinity. Governors and governed must bow before the majesty of the law.

There are a few of the fundamental principles which should govern in the making of a constitution. They need no elaboration before a body of men such as you who form this Constitutional Assembly.

I desire now to address myself to certain fundamental problems awaiting satisfactory action for the success of the Convention. One of the problems of immediate concern is the adoption of rules of procedure. I am particularly solicitous with respect to the rules governing debates.

All must realize that rules are necessary and that they are adopted to facilitate, not to impede, deliberate action.

I am not advocating unlimited debate such is practiced in the Senate of the United States, and I am against the previous question as it obtains in the Congress or in the rules of our own House of Representatives. I habe been an observer and a witness of the abuse of both practices.

Some who favor the "previous question" entertain the fear that there may be an abuse of a minority. To them I would say that as between the supposed abuse of a minority and the possible tyranny of a majority, the latter is more dangerous and more subsersive to the ends which this deliberative unicameral body is called upon to realize.

I am for striking a happy balance between unlimited debate which could result in paralysis of action and the summary stoppage of debate preventing mature deliberation.

Constitution for what? The next important question that must be settled even now at least in the minds of the members of the Convention is the scope of the Constitution. U have myself prepared a draft of the Constitution which was submitted to this body on August 2nd. In the preparation of it I had to settle the question in my mind whetner it should be a constitution only for the Commonwealth or for both the Commonwealth and the Republic that is to succeed it.

It is my considered judgment that this Convention should make a constitution not only for the Philippine Commonwealth that is a semi-sovereign and semi-independent but for a Philippine Republic that is to be sovereign and independent.

If this is not done now what will be our Constitution upon the advent of independence following the expiration of the period of transition? Will another election be held to choose delegates to another Constitthtional Convention? What express authority is ther for such action?

Whetehr the members of the Convention agree with the position I take or not, all of us must be one in recognizing the necessity of deciding what kind of Constitution we are to frame. It is hoped that a considerations of economy, efficiency, foresight, and statesmanship will incline the Convention to the idea of making not only a Constitution of the

Commonwealth but a Constitution of the Philippine Republic.

The difficulties that may suggest themselves may be obviated by including transitory provisions and by placing the mandatory provisions "in an ordinance appended" to the Constitution as the Independent Act authorizes.

Unicameral or Bicameral Legislative body. Another fundamental problem that confronts the Convention is the highly contentious question as to the kind of law-making body we should have. Shall it be unicameral or bicameral? On this issue there is room for honest differences of opinion.

The Convention is undoubtedly divided into two camps on the subject. What the outcome will be no one will know until after vote has been taken.

I have had a modest service in a bicameral legislature. in our country and a bicameral Congress in the United States. The points of excellence and of weakness of a bicameral body are not entirely unfamiliar to me. With all due respect to all who hold opinions at variance with mine there are various weighty considerations that incline me to favor a unicameral legislative body for our country. Among these are the demands of simplication of the government structure and of economy. Then too there is the fact that in the Malolos Constitution a unicameral body was created known as the National Assembly.

Besides these and others that could be mentioned there is the argument that a unicameral body is more responsive to the temper and will of the people. Under a bicameral body it is possible to have the peole's will as expressed at the pools defeated or nullified. Let me illustrate. Suppose that at an election all or nearly all of the members of the lower house belong to one party. In the upper house one half of its membership who continue belong to another party. Now in the same election suppose all of the members elected except one belong to the same party as those of the lower house chosen. Now the people's will is clear and yet

because of the election of one member for the upper house who is of another political complexion that popular will can be absolutely frustrated. Such a contingency is not possible in a unicameral law-making body.

Equality of provinces. Another important problem that we must solve is the removal of the present inequality of status of the provinces. In principle there must be unanimity of opinion as to the desirability of doing away with the present division of the provinces into regular and specially organized provinces. One of the most important reasons why I supported the Independence Act from the beginning is because it enabled the people of the Philippines to place the specially organized provinces and municipalities. This Convention would be remiss in its obligation if it does not provide for an orderly procedure for the conversion of the present specially organized provinces and municipalities into regular provinces and municipalities. This must be done in order to strengthen the solidarity of the nation.

Centralization and local Autonomy. The constitution should provide for a proper compromise between the powers that should be lodged in the central government on the one hand and the autonomous powers that should be enjoyed by the provincial and municipal governments, on the other. It is easy enough to say that we should have a central government clothed with adequate freedom or an independent judiciary, there would be unanimity and yet it is not so easy to translate a principle into reality in the form of written constitutional provisions.

Nationalism and Internationalism. The Convention is faced with another difficult problem. It is common knowledge that dependent peoples fight strenuously for nationalism and internationalism. Our people properly have fought and will fight for these ideals because they are an assertion of their personality.

Yet, paradoxical as it may seem, now that the Filipino people are on the eve of entering upon a full nationhood they must concern themselves more and more with internationalism and nationalism. Our outlook must be broadened. We must shape our life as a nation belonging to a family of nations. We are not to be content with the thought of independence; it is necessary that we think of independence. The interests of individuals and nations are interrelated and interbound.

It behooves this Nation to steer its course between the Scylls of Chauvinistic nationalism and the Charybdis of utopic internationalism.

Peace. The thought of our relations with the rest of the world leads me insensibly to one of the greates, if not the greates, of humanity's needs — peace. War, the antithesis of peace, is the worst enemy of every nation. The present depression which has enveloped the entire worled is directly traceable to the World War, That world caraclysm entailed millions in wounded, maimed, and dead besides millions more agrieving and dispossessed. In terms of material losses it occasioned a loss estimated conservatively at four hundred billion pesos (400,000,000,000.). Think of the magnitude of the loss! Distributed to the population of the world in this hour of distress that amount is enough supply each man, woman or child with more than (₱200) two hundred pesos.

War, we now know means want, poverty, ruin. We must learn that peace is good economics.

The primary necessity in any scheme of national economy is peace.

Peace gives stability of values. Peace is prosperity itself.

May I not express the hope that when we undertake to reorganize our government we shall provide for a Department of Peace and National Defense?

Such a step would be a contribution to the science of politics. It would be welcomed by the nations of the earth all of which are anxious not only to prevent war but to establish peace. It would be in keeping with the new conscience of mankind.

The safety of the Philippines, the safety of all nations especially those that are small and weak, is in peace. We are fortunate that we are to become ax self-governing nation precisely at a time when t ere is a growing conviction that in the future there must be a lessening and if possible, an abandonment of the instrument of carnage and destruction ashore, afloat, and aloft.

I have sought brsefly to present certain fundamental principles and discuss certain fundamental problems which the Constitutional Convention has to deal with in its task of making the constitution for the Philippines. I have previously submitted in concrete form my modest views on our constitution. We are now organized and the committees to work out the details are functioning. Without my solicitation or even expectation, I have been chosen chairman of one committee and members of four other committees. In a spirit of non-partisanship I entered the Convention and in that spirit I shall serve.

Like other members I have been elected to perform a duty for the entire nation. My hands are free and unfettered. I shall zealously learn from my fellow-delegates, and conscientiously seek to know the facts. With no personal interests to advance, and in all loyalty to the people's well-being and happiness, it will be mu earnest endeavor to work with others in the hope that we may succeed in making a living constitution, one that shall be the real Magna Charta of our liberties and the chart and compass of the progress of the country of our hopes and dreams throughout the countless and unending years.

REMARKS OF DELEGATE VENTENILLA

MR. VENTENILLA. Mr. President and G entlemen of the Convention: We are now beginnigg the greates task entrusted us by the common vote of our people. The destinies of our millions as well as our place in the estimate of the world now lay in our hands for us to fashion in accordance with our conscience and reason. Today is our day. Tomorrow we shall be no more, and history shall then pass judgment on the work we shall have accomplished in t is Hall. In t is transcendental task let us pray that we may not miscarry the will of God nor disappoint the hope of our people.

In this era of written constitution, when our library shelves are crowded with these documents, one may think that our work is easy. He may think that ours is merely to borrow from the existing documents the provisions that suit our fancy. Gentlemen, I am sure you will all agree with me that our conscience, our reason, our high regard for the welfare of our people and our children will revolt at sucn an idea.I believe that within the bossoms of each delegate here there is a burning desire, a ripe anciety for this Convention to produce a constitution which shall effectively interpret the genius, and faithfully reflect the soul of our people — a constitution which can effectively meet the present problems and yet take care of those of the future — in short, a constitution that will shed joy and happiness to our people now and for all times.

Gentlemen: if we are to turn out such a constitution it shall be well for us to start in the right direction. Constitutions, in a way, are the crystalization of men's political tennets on which men have pleased their most cherished hopes for the realization of the highest purpose of their existence. So that as men's

outlook of life varies, their constitution changes accordingly in spirit and form. Our concern is to identify, to know, to examine t is spirit of the constitution.

The written constitution had its beginning at a time when men found themselves engulfed in the rising sea of despotism that once flooded the world. There was a time in the course of human relations when the institution of kingship arose in answer to men's natural need for leadership in their political society. Enjoying the full powers and authority of government, at first the kings exercised them for the good of their subjects. But as any other human innstitution t is benevolent despotism gradually suffered decay. Slowly but surely the kings encroached upon the rights and liberties of their subjects. So began the long struggle between kings and subject, culminating in the final overthrow of despotism. The birth of the Magna Carta marks the commencement of this long and hideous struggle. This document is significant to us because its birth sounded the death knell of the old order and presaged the advent of the new in political philosophy. Although it did not provide for the structure of government, nevertheless, it is remarkable in constitutional history because it planted the first seeds of liberty destined to revolutionize the political philosophy of the time and develop into the beautiful structure now known as the constitution. In the long and laborious struggle of the people to gain recognition and leadership in their government, the Magna Carta was their constant inspiration, goading them to ceaseless action till tyranny was dethroned.

Then came the adoption of the American Constitution. This event opened the present period of the written constitution. By that time the theory of popular sovereignty evolved from the spirit of the Magna Carta had already taken roots in Europe and America and the divine right

theory was already on the threshold of death. The American colonists had just driven away despotism by force of arms, and in their calmer moments of deliberation were contriving to make an outlaw of it. Drawing their chief inspiration from the doctrines of Montesquieu, they set about to write a constitution that would forever banish despotism from their land. The prescription of despotism, being their chief concern, the instrument they produced naturally lacked a certain sense of proportion indispensable in a good government. Almost literally they breathed into their constitution Montesquieu's separation of powers, and by the system of checks and balances, set up an executive supposedly weak -- an executive sho might not arrogate unto himself the powers of government and become a despot. Time and natural circumstances, however, were not slow in showing them their mistake, For almost as soon as the American constitution was put into effect, the narrow executive limits set by the system of checks and balances trembled, vacillated, and finally broke. And like water seeking its own level, the natural forces of leadership immediately gravitated toward the President. So, far from being a mere figurehead, as the Fathers intended him to be, the President become the leader of the government. Far from being a mere agent of the Congress, he become the chief legislator of the nation. But the checks and balances are still in the constitution. So the leadership which the President attracted toward his by natural necessity has to be confined within the narrow limits set for him by the system. It has to move only within the narrow confines of the conventions of the constitution. Where it meets concrete legal obstacles, it has to stop. This is the anomaly in the American system. For while the President is looked upon as the virtual lea-

der, while the whole nation await with breathless anxiety his inaugural address and messages, and while his rise or fall has been made to depend on his success or failur to put through the Congress the legislation desired by the people, yet his leadership is not free to move as it ogght to. The success of his administration, therefore, depends in large measure upon his individual genius and ability. That is the reason why America has to wait for the appearance of the "strong" man in the White House in order to obtain real leadership. Responsibility without the commensurate constitutional authority is indeed the main characteristic of the American executive office.

Mr. President, I submit that such leadership is weak, too weal to meet with vigor and despatch the new problems of government. Farsighted as the Fathers, were, yet, indeed, they failed to visualize the future in connection with their constitution. Primarily interested, as they were, in outlawing despotism and in securing to the peopel the peaceful pursuit of happiness, they narrowed their constitution accordingly. But time have changed. Since then new problems have arisen. The spiritual mission of government has descended to the level of the material. then its function was primarily to soothe the aching spirit. Now, it appears, it must also appease hunger. Now that we may read history backwards, we know for instances that the old theory of "laissez-faire" has degenerated into "big business affairs" which are gradually devouring thr rights of the people — the same rights intended to be guarded and protected by the system of constitutional guarantees. Oh! if the Fathers were now alive to see the changes that the centuries have wrought in our life! They might contemplate the sad spectacle of organized

exploitation greedily devouring the precious rights of the individual. They might also behold the gradual disintegration of society, the fast disappearance of the bourgouisie, - the middle class, the backbone of the nation — and the consequent drifting of the classes toward the opposite extremes - the very rich and the very poor. Then to give them an inkling of what the future holds for us, take them down to the arena and let them witness for a moment the death-daring struggle now being waged by the masses for equal opportunity.

These, Mr. President, are the new problems which demand strong, responsible executive leadership unhampered, unencumbered by the checks of the constitution. The executive set up by the Fathers is a failure in this regard. His might have been truly an office of responsible, unfettered leadership.

Mr. President, Gentlemen, we cannot afford to avoid the issue. The handwriting in the wall is now fairly visible. The new problems of government and political society are here. The model of written constitutions seems inadequate to cope with them. At least, that is what contemporary history has shown. Shall we close our eyes before the stark realities about us? Despotism, the nightmare of the Fathers, is now a thing of the past. It is now a misfit in our political environment. Then what reason is there for us to fear strong, responsible leadership? If leadership is the soul of government, as history has shown, then why vacillate about it? Gentlemen, I wish to say this: that when we shall have written our constitution, and shall have breathed into its lines the true spirit of untrammelled leadership, then we shall have written the most brilliant page of our history; then

484

we shall have erected an everlasting monument to our native genius; then we shall have produced our most beautiful contribution to civilization, our glorious legacy to posterity. May God, in His infinite care, watche over us through the eternal blue of time.

DISCURSO DEL DELEGADO MELENDRES
POR BUKIDNON

MR. MELENDRES. Mr. President and Gentlemen of the Convention: I rise to speak before this honorable body as a humble member coming from the hills of Mindanao and from among a people considered as non-Christian - the Bukidnons. Although the problems of Mindanao and the Mo Mountain Province have been presented by other delegates, I wish to speak further in the interest of our so-called non-Christian tribres. I do not pretend to know much about our non-Christian population and their problems but as one who has experiened their difficulties and shared their longings and desires, I have felt the compelling urge to make vocal what I believe is a fundamental need of our backward people - a need which merits consideration in the making of our constitution.

It seems natural for men to group themselves according to peculiar circumstances, As the sa ing foes, "Birds of a feather flock together." Nations are formed by people bound by the ties of common customs, ideals and traditions. Students of social science tell us that the Filipinos come from the same racial stock, the Malay race. And yet we find in our country distinction which are not unnatural but have necessarily been encouraged by our system of civilization. For example, we take as a matter of course the distinction between the Christian and the non-Christian Filipinos.

During the Spanish regime, the government recognized the non-Christian as a distinct element when it sought to civilize them by ordering their concentration in "reducciones" in an effort to improve their condition. The Americans have always had a peculiar sense of responsibility towards the non-Christians. Shortly after the inauguration of the American government in the Islands.

President McKinley enjoined the Philippine Commission to adopt in dealing with the uncivilized tribes of the Islands the same course followed by Congress in dealing with the North American Indians, which was that of respecting their tribal organization and government. The Philippine Assembly, expressly reserved to the Philippine Commission the exclusive power to legislate for the backward people In 1916 the Jones Law created the Bureau of Non-Christian Tribes to supervise the public affairs of the inhabitants represented in the Philippine Legisl ture by appointed senators and representatives.

Not only do our organic laws draw the demarcation line but statutory laws calculated to promot the well-being of the non-Christians were enacted. While those measures have always been regarded as temporary expedients, pending the achievement of greater competnece, yet they serve to distinguish such minority group from the rest of the Filipinos.

Before I proceed, I wish to state that the term "non-Christian" is misleading. There are many of our so-called non-Christians (and I claim to be one of them) who have been converted to Christianity. It is not surprising that many mistake the meaning thereof. Our Supreme Court has defined the word "non-Christian" as having reference not to religious belief, but in a way to geographical area, and more directly to natives of the Philippine Islands, of a low grade of civilization. It is therefore intended to relate to degree of civilization and not to religion.

To better appreciate the extent of our non-Christian situation, let me state certain facts and figures. According to the Census of 1918, there were 932,953 non-Christians, Bagobos, Manobos, Mangyanes and others - or a also including the Mohammedans, Igorots, and Bukidnons or a ration of about 1 non-Christian to every 11 Christian Filipinos. The bulk of these non-Christians is found in

the territory comprised in the 12th senatorial ~~xxxxxxxxxx~~ district - the Mountain Province and Nueva Vizcaya in Luzon and the provinces of Agusan, Bukidnon, Cotabato, Davao, Lanao Sulu and Zamboanga in Mindanao-Sulu. They cover a combined areaa of 45,152 square miles out of the 114,400 square miles or about 30% of the total land area of the whole Archipelago, which size is bigger than that of Cuba, Holland, Belgium, Denmark of Greece.

You will, therefore, note that our non-Christian territory can constitute a kingdom by itself. The importance of conserving our non-Christian regions cannot be underestimated. It is imperative that we develop not only the vast untapped natural resources therein but the human elements as well. The greater portion of our non-Christians is still in a state of dependence and will remain so for some time yet. Whether we like it or not, the non-Christian form part and parcel of our nation and they can either accelerate or impede our national progress. As a chain is no stroger than its weakest link, so our country cannot truly be strong and progressive if the backward inhabitants ever remain a drag upon our onward march. We can ill-afford to let the non-Christians continue as a sore spot in our system, which circumstances had in the past been used as an argument against independence by the enemies of our freedom. Western visitors who come to our shores, attracted to the unusual, wittingly or unwittingly, thru their conversations, writings or photographs convey to the outside world a false impression of a state of savagery in our country. Troubles in Moroland are magnified and held up to show that life in Mindanao is unsafe. In disapproving the Hare-Hawes-Cutting Law, President Hoover expressed the following:

> "Not aline do these difficulties from the intermediate situation we create, but the non-Christian population who are as yet bitterly opposed to the controlling group, constituted at the last Philippine Census a majority of the combined population of nine provinces, occupy-

18 ing about 40 per cent of the total land area of the Philippine Islands. The maintenance of order in this considerable element has presented many difficulties to us in the past and it is not reasonable to assume that the intermediate government will be as well qualified to handle the situation as the present regime for a long time."

In those words, Mr. President and Gentleman of the Convention, are crystallized the efforts of American imperialists who for selfish reasons created and fostered discord and dissesion among our people in order to keep Mindanao from the rest of the Archipelago. Our capacity to take care of our non-Christian brothers, to give them justice and square deal had been doubted, and is being doubted. But I have faith in he wisdon, patriotism and statemanship of our leaders. I do not believe that the picture of disaster portrayed will come to pass. It may be sayd, however, that among certain non-Christians there has been engendered by such kind of propaganda a feeling that in an autonomous Philippines, they will meet with little or no consideration for their peculiar needs. They are, therefore fearful of the consequences of the independence movement in the form of neglect, exploitation, a breakdown of government, disorder and a consequent policy of extermination.

I do not want to be understood as doubting the interest of the government in the welfare of our backward people. If there had been cases of exploitation and neglect on the part of officials and other more enlightened citizens in their dealing with our non-Christian brothers, it has not been due to a fault in the system of government but rather in he inherent temptation for the strong to pray upon the weak. As a recipient of the benefits and opportunities afforded by our government, I am very grateful and I am sure the other non-Christians so-called, inarticulate as they are, feel deep down in their hearts a sincere appreciation, for the solicitude which the government has given the special provinces in the form of Insular subsidies

for the administration of their local governments, for the schools, hospitals, public roads and other improvements. But I should like to invite your attention one thing which stands in the way of mutual understanding and the early assimilation of our non-Christians into our body politic.

The Spaniars, we are told, taught us to despise the things that were our own and called the Filipinos "Infios" in derision. Many Americans in the Philippines and in their homeland, with their sense of racial superiority, have their prejudices against us deeply ingrained. This attitude, I understand, was a major factor in producing the sense of fervent Filipino nationalism, the desire for separation at any cost. To a lesser extent, this lack of sympathetic understanding and tolerance for the customs, practices and idiosyncracies of our backward people endanger both public order and harmonious relations between our different elements. As one writer said, "We are likely to think of the savage as a frekish creature, all moods -- at one moment a friend, at the next moment a friend. So he might be were it not for the social drill imposed by his custom. So he is, if you destroy his customs, and expect him nevertheless to behave as an educated and reasonable being." I venture to say that the non-Christians are instensely aware that the average Christian Filipino, in his dealings with the non-Christians, cannot help but look down upon the latter with superiority and patronage, even if not displaying open contempt. The spirit of arrogance has been a cause of resentment and is decidedly an obstacle in the path of all forward movement and local cooperation.

As in the struggle for our independence there has been the desire to rid of the Islands of outside control, there is being reenacted today in the special provinces in miniature that phenomenom which is manifested in the desire for suffrage among them in the hope of placing men in position of leadership and responsibility only those who

enjoy their confidence and those who are idenfified with the will and interest of the community, in a similar manner but to a much lesser degree, that we desire to have the "Philippines for the Filipinos." Under the Jones Law the Governor-General is given the exclusive power to appoint senators and representatives for the territory embraced in the 12th senatorial district, without regard to residence. Under the law, theoritically, there is nothing to prevent the Chief Executive from appointing a man from New York to represent any of the special provinces whose residents, more than anybody else, keenly the anomaly of the situation. This convention can remedy this unfair and undemocratic arrangement by allowing the special provinces to elect their spokesmen in the Legislature.

In dealing with non-Christians, we have the alternative of either letting them alone or of guiding them in the path of civilization. A study of the history of the Philippines with reference to our backward inhabitants will reveal that the government from the earliest days always had an anxious regard for their advancement and has consistently followed a plicy -- that of unifying the people of the Islands so that we may reach the highes concept of nationality. I do not believe that the time has come for us to let down such policy. The bulk of our non-Christians still need special stewardship and will need it at least during the lifetime of the commonwealth. For the sake of humanity and to be true to our national conscience, let us give the non-Christians a chance to develop. I feel that this convention can help much to allay the fears and misgivings of those who doubt our real concerns for the uplift of our backward elements by providing in the fundamental law of the land a precept that will pledge the Commonwealth to the task of promoting friendly relations between our Christian and non-Christian elements and for fostering the political, social and economic development of the non-Christians throughout the archipelago, with the end in view of

tians throughout the arcjipelago, with the end in view of assimilating them into our body politic.

There are those who would question the wisdom of incopporating such provision into our opganic law, preferring to leave it to the Commonwealth legislature. But, Mr. President and Gentlemen of the Convention, we are face to face with a grave challenge and that challege is for us to demonstrate to the Americans and our wards that we do care for the least among the inhabitants of our country. It has been said that one of the severe test of cultural advancement of a people is their treatment of less civilized minority groups. If we are to pass that test, this convention cannot remain indifferent but will accept the challenge. challenge.

Let us write into our constitution the spirit of Christian charity towards our dependent, backward people so that we may soon see the day when our Christian and non-Christian inhabitants shall be marching hand in hand under one banner, proudly calling themseoves Filipinos truly united, happy, free and independent. I THANK YOU.

LEVANTAMIENTO DE LA SESION

SR. MELENDEZ. Pido, Sr. Presidente, que se levante la sesión.

EL PRESIDENTE INTERINO. Si no hay objeción, se levanta la sesión hasta mañana a las 9 de la mañana.

Eran las 6:05 p. m.